

## 12.405 CLOSURE OF OFFENSE REPORTS

### **References:**

Ohio Uniform Incident Training Manual  
Procedure 12.400 - Offense Reporting, Miscellaneous  
Reporting  
Procedure 12.401 - Telephone Crime Reporting Unit  
(TCRU)  
Procedure 12.420 - Reporting Vehicle Thefts and  
Related Offenses  
Standards Manual - 42.1.2, 42.2.3, 82.1.5

### **Policy:**

When taking an offense report, the reporting officer will complete a thorough initial investigation. The officer will record all pertinent information accurately on the original Ohio Uniform Incident Report and the Incident Report Supplement (Form 311I). Under the Early Closure System, the maintenance of a high standard of clearance is dependent on the quality of the preliminary investigation.

The closure process will include: reviewing and analyzing all previous reports prepared in the preliminary phase; department records; results from laboratory examinations; conducting additional interviews and interrogations; seeking additional information (from uniformed officers, informants); planning, organizing, conducting searches, and collecting physical evidence; identifying and apprehending suspects; determining involvement of suspects in other crimes; checking suspects' criminal histories; preparing cases for court presentation; and making a "second contact" with principals involved in a case requiring follow-up investigations or which has been closed.

### **Information:**

Close offense reports assigned to Patrol Bureau Shifts (PBS), Patrol Bureau Civilian Clothes (PBC), and Criminal Investigation Section (CIS), with the exception of homicide cases and missings, within 28 days from the date reported to police. Submit the original closing Supplementary Offense Report (Form 311) to the Records Unit within seven days of the closure.

Neither a Form 311 nor an Ohio Uniform Incident Report are required to close a case with an original arrest or an original otherwise. If a case is an original arrest closure, the arrested must be charged with the reported offense. An original otherwise closure requires a statement justifying why the case is not closed by arrest. Record this information on the original Ohio Uniform Incident Report, preferably in the "Narrative" section. However, fill out a Form 311I if there are additional suspects not arrested, or if the offense is similar to other unsolved offenses.

The recovery of stolen property is supplemental to the closure of an offense. It has no bearing on the type of closure. Record on the closing Form 311 the description, value, disposition, etc., of recovered property prior to forwarding it to the Records Unit.

Prior to forwarding closing reports to the Records Unit, the unit commander, or designate, must sign the report. This indicates approval and ensures complete closing copies of the Ohio Uniform Incident Report. Records Unit will return incomplete or incorrect closing reports to the investigating officer's supervisor.

***Procedure:***

A. Case Assignment Criteria for Follow-Up Investigation:

1. Follow-up investigation of an offense report will occur when any of the following apply:
  - a. Suspect identification can be developed from:
    - 1) Usable fingerprints.
    - 2) Significant physical evidence.
    - 3) Victim, witness, or informant information.
    - 4) A license number or significant description of a vehicle used in the offense.

- b. There is serious physical harm, or the threat of serious physical harm to the victim. Generally bomb threats and obscene phone call offenses are not assigned for investigation. However, aggravated circumstances may cause assignment of any of these offenses.
- c. The suspect used a deadly weapon or dangerous ordinance.
- d. There is a significant modus operandi (MO) which will aid in the solution of the offense.
- e. The offense is a sex crime in which the victim and suspect had physical contact.
- f. There is another reason to assign the offense for investigation.

Example: Hazardous or dangerous material stolen

Example: A reported offense which would raise community concern

- 2. All offenses involving Motor Vehicle Thefts, Unauthorized Use of a Motor Vehicle, and License Plates Thefts will have a three day follow-up investigation period to verify registration and to ensure accurate information. When assigned, these cases will have a 28 day follow up.

#### B. Methods Used to Close Offense Reports:

- 1. An offense is cleared by "Arrest" when at least one person is arrested and charged with the commission of the reported offense.
  - a. List the arrest's name, address, sex, race, age, charge, control number, etc., on the closing Form 311.
  - b. In cases involving juveniles, place the charge of Juvenile Delinquency along with the specific offense on the Form 311.

2. An offense is cleared as "Death of Offender," "Prosecution Declined," "Extraditions Denied," "Victim Refused to Cooperate," or "Juvenile/No Custody" (exceptional clearance) if all the following apply and all necessary information is on the closing Form 311:
  - a. The investigation has definitely identified the offender.
  - b. There is enough evidence to charge and arrest the suspect.
  - c. The offender's exact location is known and the suspect could be taken into custody.
  - d. There is some reason outside police control preventing the charging and arrest of the suspect.
  - e. Complete suspect information (name, address, sex, race, DOB, etc.) must be on the closing Form 311.
3. Substantiate related multiple exceptional clearance closures (four or more) by one of the following:
  - a. A copy of a recorded statement or a copy of a signed statement by the suspect. The contents will include the suspect admitting to the offenses and some details of the commission of the offenses.
  - b. A Form 17 signed by a unit supervisor listing the offenses submitted for closure (offense number and the complainant's name) and details for the otherwise closures.
4. Inactive Closures ("Warrant Issued" or "Investigation Pending")
  - a. An offense can have an "Inactive" closure even though there is property recovered and/or there is knowledge of the identity of the perpetrator who has not been apprehended.
  - b. Reopen and close these inactive reports according to new developments.

## 5. Unfounded Reports

- a. Unfounding an offense report does not count as a case closed. The offense is removed from the reported crime statistics.
- b. A report is unfounded because the reported facts do not constitute a reportable offense, or the investigation reveals the reported facts did not occur.

### C. Early Closure of Ohio Uniform Incident Reports ("Closed"):

1. Early close an Ohio Uniform Incident Report that does not meet the criteria for follow-up investigation. Complete a Form 311. Mark "EC" next to "Closed" box.
  - a. The case assignment supervisor will review all offenses and determine the case assignment status.
  - b. When an offense does not have the necessary criteria for follow-up investigation, the case assignment supervisor will early close the offense. Immediately forward to the complainant a postcard with the early closure information. The postcard will be:
    - 1) Reviewed and personally signed by the investigative officer in charge.
    - 2) Sent each day to TCRU.

### D. Final Disposition of Ohio Uniform Incident Reports (Except Early Closure):

1. Upon conclusion of the follow-up investigation, the investigator will:
  - a. Conduct a final interview with the complainant by telephone or in person.

b. Advise the complainant the investigation is being terminated. If there are additional investigative leads, such as an arrest or property recovery, the investigation may be reopened and the complainant will be contacted and provided with the pertinent developments.

1) Note notification of the complainant of the case closure on the closing Form 311.

2. When there is an arrest when taking the original Ohio Uniform Incident Report, note in the "Narrative" section of the Ohio Uniform Incident Report notification of the complainant that the case was closed.

E. Supplementary Offense Report (Form 311):

1. Use the Form 311 to close the Ohio Uniform Incident Report. Use it to open and close differently all previously closed reports.

a. Complete information pertinent to any closure must appear on the Form 311.

b. The unit preparing the Form 311 will prepare the following copies:

1) Original sent to the Records Unit.

2) Duplicate attached to the Ohio Uniform Incident Report being closed at the district of occurrence.

a) When applicable, send a copy to the unit having co-responsibility for investigation of the offense (see Procedure 12.400, C., Offense Reporting - Follow-up Investigative Responsibility).

2. Use a Form 311 to report the recovery of stolen property believed to have been stolen locally, but not identified with any local offense reports.

- a. The originating unit will prepare the Form 311 in duplicate giving complete information available relative to the recovery.
  - 1) Original forwarded to the Records Unit.
  - 2) Duplicate retained by the originating unit.

F. Scoring Arrests:

- 1. As the scoring of arrests is determined from the officers' names and district appearing on the Arrest and Investigation Report (Form 527) under "Arresting Officer," only those officers who qualify within the definition should be listed.
  - a. The arresting officers are only those officers at the scene of the arrest who actively participate in the arrest.
  - b. Officers who may supply information leading to an arrest or develop evidence pertaining to the arrest will be termed "Cooperating Officers," and their names will be entered on the Form 527 under "Facts of Arrest."
- 2. In general, when making an arrest, the credit goes to the arresting officer(s)' district or unit of assignment. Examples are:
  - a. If a District One officer makes an arrest in District Two, credit the arrest to District One.
  - b. If the Criminal Investigation Section makes an arrest in District One, credit the arrest to the Criminal Investigation Section.
  - c. If a District One officer is off duty and makes an arrest in District Two, credit District One with the arrest.
- 3. When officers from more than one district or unit make an arrest, credit the arrest to the district wherein the arrest is made, provided one of the arresting officers is assigned to the district of arrest.

- a. The above policy for crediting arrests will also apply to multiple arrests.
4. Officers employed by private agencies who work in a police capacity will be considered in the same class as a private policeman. When they make arrests while so engaged, credit for their arrest goes to the district where the arrest was made.
- a. It will be the responsibility of the arresting officers to furnish the Hamilton County Justice Center Intake sufficient information of their outside employment status (under the above paragraph), so that correct information can be placed on the arrest forms.